



No Child Left Behind/Adequate Yearly Progress

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Schools' Status in School Improvement Categories

Compiled by Todd Ziebarth
March 2005

Overview of No Child Left Behind Act Sanctions

The No Child Left Behind (NLCB) Act intensifies the push to hold public schools accountable for student performance. NCLB requires states to annually test their students in grades 3-8 and once in high school in reading and math by 2005-06 and once during certain grade spans – 3-5, 6-9 and 10-12 – in science by 2007-08. It also requires states to establish adequate yearly progress (AYP) performance benchmarks that all students must meet, with the ultimate goal of having all students achieve a state-defined proficiency level by 2013-14. Furthermore, NCLB also requires states to reward and sanction schools based on whether their students meet the state's AYP benchmarks. In fact, the law requires states to implement the following types of sanctions for schools that receive federal Title I funds:

- If a school fails to make AYP for two consecutive years, it is placed in "School Improvement Year One." As a result, the school's district must offer the students in that school the opportunity to attend a higher-performing public school.
- If a school fails to make AYP for three consecutive years, it is placed in "School Improvement Year Two." As a result, the school's district must offer pupils from low-income families at the school the opportunity to receive services from a supplemental educational services provider. The district also must continue to offer the students in that school the opportunity to attend a higher-performing public school.
- If a school fails to make AYP for four consecutive years, it is placed in "School Improvement Year Three." As a result, the school's district must take one or more of the following corrective actions:
 - Replace the school staff that are relevant to the failure to make AYP
 - Institute and fully implement a new curriculum, including providing appropriate professional development for all relevant staff, that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving students and enabling the school to make AYP
 - Significantly decrease management authority at the school

- Appoint an outside expert to advise the school on its progress toward making AYP, based on its school plan
- Extend the school year or school day for the school
- Restructure the internal organizational structure of the school.

The district also must continue to offer the students in that school the opportunity to attend a higher-performing public school and the pupils from low-income families at the school the opportunity to receive services from a supplemental educational services provider.

- If a school fails to make AYP for five consecutive years, it is placed in “School Improvement Year Four.” As a result, the school’s district must create a plan to restructure the school in one of the following ways:
 - Reopen the school as a public charter school
 - Replace all or most of the school staff, which may include the principal, who are relevant to the school’s failure to make AYP
 - Enter into a contract with an entity, such as a private management company with a demonstrated record of effectiveness, to operate the school as a public school
 - Turn the operation of the school over to the state education agency, if permitted under state law and agreed to by the state
 - Any other major restructuring of a school’s governance arrangement.

The district also must continue to offer the students in that school the opportunity to attend a higher-performing public school and the pupils from low-income families at the school the opportunity to receive services from a supplemental educational services provider.

- If the school fails to make AYP for six consecutive years, it is placed in “School Improvement Year Five.” As a result, the school’s district must implement the restructuring plan at the beginning of the school year following the creation of the plan. The district also must continue to offer the students in that school the opportunity to attend a higher-performing public school and the pupils from low-income families at the school the opportunity to receive services from a supplemental educational services provider.

Schools’ Status in School Improvement Categories

Table 1 on page 4 presents the number of schools in each category of school improvement for every state during the 2004-05 school year. These numbers were gathered from state department of education personnel and Web sites.

There is wide variation from state to state in the proportion of schools that fall into each of the school improvement categories. While these differences may in part stem from differences in performance from state to state, readers should exercise caution when drawing such conclusions because there are several other reasons why these proportions may differ, including:

- Some states grandfathered where their schools were performing on the 1994 ESEA timelines into the NCLB system.
- Some state tests are more rigorous than others.
- Passing scores on tests are higher in some states than in others.
- The percentage of students that must be proficient each year for a school to meet the state’s AYP requirements is higher in some states than others.
- Other differences in how states classify schools under NCLB.

School Improvement Year One - Public School Choice

- All 50 states have schools that have failed to make AYP for two consecutive years and are in “School Improvement Year One.” Their districts must offer the students in the schools the opportunity to attend a higher-performing public school.
- The states with the highest number of schools in this category are Florida (959), California (668), Georgia (413) and New Jersey (353).
- The states with the highest percentage of schools in this category are Florida (27%), Hawaii (26%), Georgia (21%), Arkansas (20%) and Nevada (20%).

School Improvement Year Two - Supplemental Educational Services

- Forty-six states have schools that have failed to make AYP for three consecutive years and are in “School Improvement Year Two.” Their districts must offer pupils from low-income families at the schools the opportunity to receive services from a supplemental educational services provider. The district also must continue to offer public school choice.
- The states with the highest number of schools in this category are California (506), Georgia (204), Illinois (194) and New York (125).
- The states with the highest percentage of schools in this category are Georgia (10%), Alaska (8%), Arkansas (6%) and California (6%).

School Improvement Year Three - Corrective Actions

- Forty states have schools that have failed to make AYP for four consecutive years and are in “School Improvement Year Three.” Their districts must implement one of NCLB’s corrective actions at the schools. The district also must continue to offer public school choice and supplemental educational services.
- The states with the highest number of schools in this category are Illinois (245), California (174), New Jersey (103) and New York (56).
- The states with the highest percentage of schools in this category are Illinois (6%), New Mexico (5%), New Jersey (4%) and Arizona (3%).

School Improvement Year Four - Planning for Restructuring

- Thirty-one states have schools that have failed to make AYP for five consecutive years and are in “School Improvement Year Four.” Their districts must create a plan that incorporates one of NCLB’s restructuring options for the schools. The district also must continue to offer public school choice and supplemental educational services.
- The states with the highest number of schools in this category are California (268), New York (90), Michigan (54) and Ohio (48).
- The states with the highest percentage of schools in this category are Hawaii (8%), California (3%) and Montana (3%).

School Improvement Year Five - Implementing Restructuring Plans

- Fourteen states have schools that have failed to make AYP for six consecutive years and are in “School Improvement Year Five.” Their districts must implement the restructuring plans at the beginning of the school year following the creation of the plans. The district also must continue to offer public school choice and supplemental educational services.
- The states with the highest number of schools in this category are New York (89), Pennsylvania (68), Michigan (62) and Georgia (51).

- The state with the highest percentage of schools in this category is Hawaii (10%).

Table 1
Schools' Status in School Improvement Categories during the 2004-05 School Year

State	Total # of Schools	SI1 (Choice)	SI2 (SES)	SI3 (CA)	SI4 (PR)	SI5 (IR)
Alabama	1,547	38 (2%)	0	7 (<1%)	15 (<1%)	24 (2%)
Alaska	506	67 (13%)	40 (8%)	7 (1%)	8 (2%)	0
Arizona	1,700	55 (3%)	67 (4%)	51 (3%)	12 (<1%)	0
Arkansas	1,159	233 (20%)	69 (6%)	4 (<1%)	1 (<1%)	0
California	8,568	668 (8%)	506 (6%)	174 (2%)	268 (3%)	10 (<1%)
Colorado	1,658	40 (2%)	19 (1%)	27 (2%)	2 (<1%)	1 (<1%)
Connecticut	1,075	82 (8%)	4 (<1%)	0	8 (<1%)	0
Delaware	174	6 (3%)	4 (2%)	3 (2%)	0	0
Florida	3,602	959 (27%)	36 (1%)	0	0	0
Georgia	1,946	413 (21%)	204 (10%)	29 (1%)	24 (1%)	51 ¹ (3%)
Hawaii	284	75 (26%)	3 (1%)	6 (2%)	23 (8%)	28 (10%)
Idaho	679	71 (10%)	0	0	0	0
Illinois	4,116	202 (5%)	194 (5%)	245 (6%)	15 (<1%)	0
Indiana	1,928	26 (1%)	23 (1%)	18 (<1%)	10 (<1%)	0
Iowa	1,533	10 (<1%)	3 (<1%)	0	0	0
Kansas	1,418	9 (<1%)	1 (<1%)	3 (<1%)	2 (<1%)	0
Kentucky	1,271	113 (9%)	12 (<1%)	7 (<1%)	0	0
Louisiana	1,538	27 (2%)	32 (2%)	11 (<1%)	5 (<1%)	0
Maine	697	17 (2%)	1 (<1%)	0	0	0
Maryland	1,375	31 (2%)	18 (1%)	7 (<1%)	30 (2%)	29 (2%)
Massachusetts	1,904	286 (15%)	38 (2%)	28 (1%)	24 (1%)	0
Michigan	3,504	69 (2%)	26 (<1%)	42 (1%)	54 (2%)	62 (2%)
Minnesota	1,977	22 (1%)	18 (<1%)	8 (<1%)	0	0
Mississippi	1,042	65 (6%)	2 (<1%)	2 (<1%)	2 (<1%)	0
Missouri	2,281	240 (11%)	0	10 (<1%)	0	0
Montana	890	2 (<1%)	2 (<1%)	8 (<1%)	28 (3%)	0
Nebraska	1,257	1 (<1%) ¹¹	6 (<1%)	0	0	1 (<1%)
Nevada ¹¹	517	103 (20%)	17 (3%)	2 (<1%)	0	0
New Hampshire	476	8 (2%)	3 (<1%)	1 (<1%)	0	0
New Jersey	2,384	353 (15%)	64 (3%)	103 (4%)	0	0
New Mexico	766	14 (2%)	27 (4%)	40 (5%)	15 (2%)	0
New York	4,254	143 (3%)	125 (3%)	56 (1%)	90 (2%)	89 (2%)

State	Total # of Schools	SI1 (Choice)	SI2 (SES)	SI3 (CA)	SI4 (PR)	SI5 (IR)
North Carolina	2,158	140 (6%)	14 (<1%)	6 (<1%)	0	0
North Dakota	525	1 (<1%)	7 (1%)	6 (1%)	7 (1%)	0
Ohio	3,854	162 (4%)	42 (1%)	31 (<1%)	48 (1%)	11 (<1%)
Oklahoma	1,852	76 (4%)	15 (<1%)	4 (<1%)	8 (<1%)	4 (<1%)
Oregon ^{iv}	1,246	23 (2%)	2 (<1%)	1 (<1%)	0	0
Pennsylvania	3,248	187 (6%)	61 (2%)	1 (<1%)	7 (<1%)	68 (2%)
Rhode Island	334	20 (6%)	13 (4%)	5 (1%)	1 (<1%)	0
South Carolina	1,114	147 (13%)	39 (4%)	10 (<1%)	2 (<1%)	9 (<1%)
South Dakota	748	59 (8%)	13 (2%)	1 (<1%)	2 (<1%)	0
Tennessee	1,611	118 (7%)	0	0	30 (2%)	17 (1%)
Texas	7,395	199 (3%)	5 (<1%)	1 (<1%)	0	0
Utah	804	12 (1%)	1 (<1%)	2 (<1%)	1 (<1%)	0
Vermont	321	19 (6%)	0	0	0	0
Virginia	1,930	82 (4%)	21 (1%)	8 (<1%)	0	0
Washington	2,175	120 (6%)	21 (<1%)	15 (<1%)	0	0
West Virginia	818	31 (4%)	5 (<1%)	0	1 (<1%)	0
Wisconsin	2,181	13 (<1%)	7 (<1%)	13 (<1%)	3 (<1%)	0
Wyoming	384	15 (4%)	15 (4%)	0	0	0

Key:

- SI1 (Choice) = School Improvement Year One – Public School Choice
- SI2 (SES) = School Improvement Year Two – Supplemental Educational Services
- SI3 (CA) = School Improvement Year Three – Corrective Actions
- SI4 (PR) = School Improvement Year Four – Planning for Restructuring
- SI (IR) = School Improvement Year Five – Implementing Restructuring

Endnotes

ⁱ An additional 48 schools were required to develop restructuring plans, but are in delay status in implementing the plans because they made Adequate Yearly Progress.

ⁱⁱ Three Title I schools are in Year 1 (Choice), but one of them has to offer choice because the other two have no other buildings at the same grade level as the identified schools.

ⁱⁱⁱ Includes Title I schools and non-Title I schools.

^{iv} Some schools identified are not mandated to carry out the required action in 2004-05 because they have closed or no longer receive Title I funds. School Improvement Year 1 (Choice) – 29 identified, 23 required; School Improvement Year 2 (Supplemental Services) – 2 identified, 2 required; School Improvement Year 3 (Corrective Action) – 2 identified, 1 required; School Improvement Year 4 (Planning for Restructuring) – 2 identified, 0 required; School Improvement Year 5 (Implementing Restructuring) – 0 identified, 0 required.

Todd Ziebarth is a policy analyst with Augenblick, Palaich and Associates, a Denver-based consulting firm. The U.S. Department of Education's Public Charter Schools Program provided funding for this document.

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